

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

ESTATE OF FRANK MCDEVITT,)	
Plaintiff,)	
)	Civil Action No. 09-415-KD-C
v.)	
)	
CITY OF PRICHARD, ALABAMA, <i>et al.</i>,)	
Defendants.)	

ORDER

This matter is before the Court on Defendant City of Prichard, Alabama's "Notice of Bankruptcy" (Doc. 29), in which said defendant represents to the Court that it has filed a voluntary petition seeking Chapter 9 bankruptcy protection under the United States Bankruptcy Code (11 U.S.C. § 101 *et seq.*) in the United States Bankruptcy Court for the Southern District of Alabama (Civil Case No. 09-15000). Pursuant to 11 U.S.C. § 362, the filing of a bankruptcy petition operates as stay; thus, this litigation is **STAYED** with regards to Plaintiff's claims against Defendant City of Prichard, Alabama. Nothing contained in this Order shall be considered a dismissal or disposition of this matter as to Defendant City of Prichard, Alabama.

Moreover, this stay shall have no effect upon Plaintiff's claims against the remaining defendants, and this action shall proceed as to those defendants.

Further, Plaintiff is **ORDERED** to file a status report regarding Defendant City of Prichard's bankruptcy proceedings on or before **January 11, 2010**.

DONE and ORDERED this the **3rd** day of **November 2009**.

/s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE